

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ORIENT TURUSTIK MAGAZACILIK
SAN VE TIC LTD. STI,

Plaintiff,

v.

AYTEK USA, INC. d/b/a AYTEK RUGS;
ISTANBUL RUGS, LLC; UMIT
KUCUKKARACA; MUSTAFA
ASLANHAN; and JOHN DOES 1-10,

Defendants.

Case No. 2:22-cv-04864-SDW-JBC

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE
AS TO BETWEEN PLAINTIFF AND DEFENDANT ISTANBUL RUGS, LLC
AND PERMANENT INJUNCTION**

WHEREAS, Orient Turistik Magazacilik San ve Tic LTD. STI (“Plaintiff” or “Orient”) and Istanbul Rugs, LLC (“Defendant” or “Istanbul”) were involved in litigation in the United States District Court for the District of New Jersey, Civil Action No. 22-cv-04864-SDW-JBC (the “Action”);

WHEREAS, Orient and Istanbul settled the Action by executing a Memorandum of Understanding on or about March 31, 2025 (the “Binding Term Sheet”), which sets forth binding terms, and agreed to prepare a long-form settlement agreement that shall not alter the terms stated in the Binding Term Sheet;

WHEREAS, as part of the Binding Term Sheet, Istanbul has agreed, among other things, that Istanbul and any employees and agents thereof shall strictly adhere to the Court's Order on Orient's Motion for a Preliminary Injunction, as entered on May 18, 2023 (Dkt. 47-48), which includes:

- a. Ensuring that they do not access, use, or distribute Orient's customer list in any manner whatsoever (whether such customer list was previously made available or is hereinafter made available to them);
- b. Intentionally contacting any of Orient's customers from Orient's customer list; and
- c. Promoting, advertising or passing off Istanbul or any other party's goods as Orient's goods.

WHEREAS, as part of the Binding Term Sheet, the parties agreed that the Court would enter judgment and the injunction set forth below;

WHEREAS, the parties have waived the entry of findings of fact and conclusions of law under Rule 65 of the Federal Rules of Civil Procedure.

THEREFORE based on Plaintiff and Defendant's stipulation and consent, it is ORDERED, ADJUDGED, and DECREED as follows:

1. The Court has jurisdiction over the subject matter of the above-captioned case pursuant to 28 U.S.C. §§ 1331 and 1338(a).

2. The Court has personal jurisdiction over the Plaintiff and Defendant, and venue is proper as to the Plaintiff and Defendant pursuant to 28 U.S.C. § 1391 and 18 U.S.C. § 1965(a).

3. The Court retains jurisdiction to enforce or supervise performance under this Order and Injunction and the parties' Binding Term Sheet dated March 31, 2025 and any subsequent long-form settlement agreement.

4. Subject to and pursuant to the terms of the Binding Term Sheet, Istanbul and any employees and agents thereof shall strictly adhere to the Court's Order on Orient's Motion for a Preliminary Injunction, as entered on May 18, 2023 (Dkt. 47-48), which includes:

- a. Ensuring that they do not access, use, or distribute Orient's customer list in any manner whatsoever (whether such customer list was previously made available or is hereinafter made available to them);
- b. Intentionally contacting any of Orient's customers from Orient's customer list; and
- c. Promoting, advertising or passing off Istanbul or any other party's goods as Orient's goods.

5. Subject to and pursuant to the terms of the Binding Term Sheet, Plaintiff's remaining claims in the above-captioned manner against Defendant are dismissed without prejudice.

6. Subject to and pursuant to the terms of the Binding Term Sheet, each of Plaintiff and Defendant shall bear its own costs.

IT IS SO ORDERED.

Dated this 4th day of April 2025.



Hon. Susan D. Wigenton
United States District Judge

Dated: April 2, 2025

Jointly Presented by:

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